

**RABINOWITZ, GALINA & ROSEN**  
**Attorneys at Law**  
94 WILLIS AVENUE  
MINEOLA, NEW YORK 11501  
T. (516) 739-8222  
F. (516) 739-8225

Michael M. Rabinowitz  
Michael R. Galina (1963-2017)  
Gayle A. Rosen ([grosen@randglaw.net](mailto:grosen@randglaw.net))  
Lisa A. Gutman  
Daniel P. Rabinowitz

Pursuant to Rule 2(E) of the Court's Individual Rules and Practices, "[a]bsent an emergency, any request for extension or adjournment shall be made *at least 48 hours* prior to the deadline or scheduled appearance." Nevertheless, as a one-time courtesy, the Court will grant Volmar's application. The parties should not expect same-day extension requests to be considered going forward.

April 15, 2024

**Via ECF**

Honorable Jesse M. Furman, U.S.D.J.  
United States District Court  
Southern District of New York  
40 Foley Square  
New York, New York 10007

Volmar's deadline to oppose Truist's motion to dismiss or amend its Third-Party Complaint is hereby extended through and until **May 15, 2024**. Accordingly, and in light of Bank of America's letter motion filed at ECF No. 33 (also a tardy extension request), Bank of America's deadline to respond to Volmar's Third-Party Complaint is hereby extended through and until **May 16, 2024**. If Volmar files an amended complaint by May 15, 2024, Bank of America will then be subject to the same response/briefing schedule as Truist under the Court's scheduling Order dated March 25, 2024. See ECF No. 30. The Clerk of Court is directed to terminate ECF Nos. 33 & 34.

Re: Pinnacle Environmental Corporation v. Volmar Construction, Inc., et al.  
Docket No.: 23 CV 10732 (JMF)

**SO ORDERED.**



April 15, 2024

Dear Judge Furman:

I represent Defendant/Third-Party Plaintiff Volmar Construction, Inc. and Defendant Travelers Casualty and Surety Company of America in the above matter.

I write with the consent of Third-Party Defendant Truist Bank for a thirty (30) day extension of time of Volmar's time to oppose Truist's motion to dismiss or to amend its Third-Party Complaint as set forth in His Honor's March 25, 2024 Order (Doc. 30).

This is Volmar's first request for such an extension and is requested to afford Volmar and Truist time to explore a resolution of said motion.

Thank you for your consideration.

Very truly yours,

*/s/ Gayle A. Rosen*  
Gayle A. Rosen  
Cc: All Appearing Parties via ECF